

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and the following remarks are presented for the Examiner's consideration. clearly and particularly describe the subject matter which applicant regards as the invention.

The Examiner rejected claims 1-24 under 35 U.S.C. 103(a) as being unpatentable over Stern (U.S. Pat. No. 6,366,914) in view of Baxter et al. (U.S. Pat. No. 6,356,903).

Baxter does not teach all the limitations of claims 1, 22, and 23. More specifically Baxter does not teach a digital storage broadcast system where "the sending side transmits service structure information describing the relational structure between services provided by contents providers and reference information associating the contents with the services..." Referring to column 4, lines 25-30 of Baxter, Baxter teaches that a key feature is that the content, the content's organization and format are separately stored and maintained for real time assembly which allows the content creation and design functions to be separated to therefore simplify the maintenance function. Baxter further discloses in column 4, lines 38-43 that a content management system server runs an assembly procedure to deliver requested content in a prescribed organization and format to an end user. However, Baxter does not teach a system that utilizes reference information to relate contents to a service to facilitate the management of the contents. Therefore, Baxter does not teach a digital storage broadcast system where service information defines a structure between contents providers and reference information to manage the storage of the contents. Thus, Baxter does not teach all the limitations of claims 1, 22, and 23. Applicant further notes that claims 2-21 depend either directly or indirectly from independent claim 1 and claim 24 depends from amended claim 23. Therefore, the foregoing arguments are equally applicable to these claims and are incorporated herein by reference.

Applicant further notes that there must be a motivation to combine references. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion or incentive supporting the combination. *ACS Hospital Systems, Inc. v.*

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Montefiore Hospital, 732 F.2d 1572, 1577, 221 USPQ 929, 933 (Fed. Cir. 1984). Therefore, the Examiner must identify something in the prior art that suggests combining the references in order to arrive at the claimed invention. The Examiner does not suggest or provide any incentive for a person of ordinary skill in the art to combine a content management system for a web-based system of Baxter with that of a multimedia digital distribution system specifically for television and radio of Stern because Baxter discloses a maintenance system to facilitate the management of the contents by the sender and not the receiver.

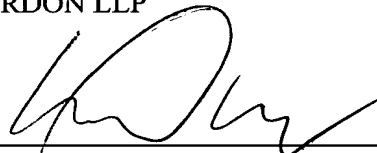
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33714.

Respectfully submitted,

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